



NEWS

Federal Communications Commission
445 12th Street, S.W.
Washington, D. C. 20554

News media information 202 / 418-0500
TTY 202 / 418-2555
Fax-On-Demand 202 / 418-2830
Internet: <http://www.fcc.gov>
<ftp.fcc.gov>

This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See *MCI v. FCC*, 515 F.2d 385 (D.C. Cir. 1974).

FOR IMMEDIATE RELEASE
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NEWS MEDIA CONTACT:
Meribeth McCarrick at (202) 418-0654

**FCC POSTPONES AUCTION NO. 31 (UPPER 700 MHz BAND) UNTIL JANUARY 14, 2003
DENIES APPLICATIONS FOR REVIEW**
Auction No. 44 (Lower 700 MHz Band) to Proceed on June 19, 2002

Washington, D.C. – The Federal Communications Commission (FCC) has issued a Public Notice postponing Auction No. 31, which consists of spectrum licenses in the 747-762 MHz and 777-792 MHz bands (Upper 700 MHz band) until January 14, 2003. The FCC delayed the auction in order to provide additional time for Congress to consider legislation affecting the timing of that auction and, accordingly, bidder preparation and planning. The Commission noted it will memorialize its views supporting its decision in a future separate opinion. The FCC stated that Auction No. 44, which consists of spectrum licenses in the 698-746 MHz band (Lower 700 MHz), will proceed as scheduled beginning on June 19, 2002.

In an Order released today, the Commission also denied an Application for Review filed by the Cellular Telecommunications & Internet Association (CTIA), and an Application for Review filed by Paxson Communications Corporation and the Spectrum Clearing Alliance. CTIA had filed an Application for Review asking that the FCC reverse a Wireless Telecommunications Bureau letter that denied CTIA's April 3, 2002 request for an indefinite delay of Auction Nos. 31 and 44. Since the date of CTIA's original request, numerous parties have made various filings supporting and opposing a delay in one or both auctions, as well as formally supporting or opposing CTIA's Application. On May 13, 2002, Paxson Communications Corporation and the Spectrum Clearing Alliance also filed an Application for Review of the Bureau Letter, seeking a Commission ruling that current statutes require the Commission to proceed with current auction schedules.

The Commission reviewed the Bureau Letter, CTIA's Application, the Application jointly filed by Paxson Communications Corporation and the Spectrum Clearing Alliance, and related filings. The FCC concluded that the Bureau acted correctly and found no grounds sufficient to delay both auctions indefinitely as CTIA had requested and therefore denied CTIA's Application. The Commission also denied on procedural grounds the Application filed jointly by Paxson Communications Corporation and the Spectrum Clearing Alliance.

In the adopted Public Notice the Commission noted that pursuant to the previously announced auction schedules, the FCC computer system window to file short-form applications (FCC Form 175) to participate in Auction No. 31 closed at 6 p.m. ET on Wednesday, May 8, 2000. Any short-form applications to participate in Auction No. 31 that are in the system will be deemed ineffective and purged from the system in seven (7) days. Any party will be able to submit a short-form application to participate in Auction No. 31 pursuant to the new filing schedule noted in the Public Notice. The new filing window for short-form applications to participate in Auction No. 31 will open on November 14, 2002.

The upcoming auction of licenses in the 698-746 MHz Band (Auction No. 44), scheduled to commence on June 19, 2002, will proceed as scheduled. Pursuant to the previously announced schedule, the Commission computer system window to file short-form applications (FCC Form 175) to participate in Auction No. 44 closed at 6 p.m. ET on Wednesday, May 8, 2002. Any short-form applications to participate in Auction No. 44 that are in the system will be processed and the Wireless Telecommunications Bureau will issue appropriate public notices shortly.

Action by the Commission on May 23, 2002, by Order (FCC 02-155). Chairman Powell, Commissioners Abernathy and Copps with Commissioner Martin dissenting and Chairman Powell, Commissioners Copps and Martin issuing separate statements.

Action by the Commission on May 24, 2002, by Public Notice (FCC 02-158). Chairman Powell, Commissioners Abernathy and Copps with Commissioner Martin approving in part, dissenting in part, and Chairman Powell and Commissioners Abernathy, Copps and Martin issuing separate statements.

FCC Contact: Erik Salovaara (202) 418-0660 or esalovaa@fcc.gov

WT Docket No. 99-168

GN Docket No. 01-74